

JUSTIFICATION AND APPROVAL FOR OTHER THAN FULL AND OPEN COMPETITION

PR No. : 612-13-1-6138-0075

- 1. CONTRACTING AGENCY:** Department of Veterans Affairs VISN 21 Network Contracting Office (NCO 90).
- 2. DESCRIPTION OF ACTION:** The VA Palo Alto Health Care System submitted a requested to provide funding for the Repair of essential machinery from the GENERAL ELECTRIC COMPANY. This procurement will be accomplished by the Network Contracting Office (NCO 90), VISN 21, located at Palo Alto as a limited source purchase.
- 3. DESCRIPTION OF SUPPLIES/SERVICES:** Delivery and replacement of Apollo 41cm RAD thunder detector parts and supplies.

Estimated value of VISN 21 requirement: \$127,200.00

- 4. AUTHORITY CITED:** FAR 13.601(b)(1), only one source is reasonably available because the VA Palo Alto Health Care System is currently using the system to diagnose patients at the hospital. Without this system the patients are being sent to other facilities at a higher cost to the government and we can't fully confirm that our veterans are receiving the best care possible.
- 5. REASON FOR AUTHORITY CITED:** The above cited authority provides for items on the open market being the only reasonable source. It has been determined that this procurement falls within this category. Only one responsible source and no other suppliers will satisfy agency requirements. The system is currently down for the last four months. No studies can be done on it and as a result, patient care is significantly diminished. That includes pre op patients needing surgery.
- 6. EFFORTS TO OBTAIN COMPETITION:** This requirement will not be synopsized in accordance with 5.202(a)(2), in that this acquisition is being conducted under unusual and compelling urgency and the Government would be seriously injured if the agency complies with the time periods specified in 5.203.
- 7. FAIR AND REASONABLE PRICE DETERMINATION:** The Contracting Officer has determined that the anticipated price will be determined to be fair and reasonable. A Price Negotiation Memorandum (PNM) will detail how the Government has determined that the anticipated costs will be fair and reasonable. As this item has been determined to be commercial, cost or pricing data will not be required. Pricing techniques such as are described in FAR 15.404-1(b)(2), will be used to establish price fairness and reasonableness.

It is concluded that the price represents the best value (as defined in FAR 2.101) and results in the lowest overall cost alternative (considering price, special features, administrative costs, etc.) to meet the Government's needs.

8. MARKET SURVEY/RESEARCH: Due to the urgency to have a rental contract in place and to prevent interruption of rental services, market research was not conducted.

9. SUPPORTING FACTS: The existing BPA with General Electric has expired. The WSNC is currently negotiating a new BPA. In the mean time, this purchase order is being issued to prevent interruption to patient care. This system and its scanners are required for patients in the hospital for all types of care including emergency room care.

10. LISTING OF SOURCES: GENERAL ELECTRIC COMPANY 3000 N GRANDVIEW BLVD
W-443 WAUKESHA, WI, 531881615

11. STATEMENT OF ACTIONS: The new BPA will be completed within the next few months and will be available for future parts and supplies.

12. CONTRACTING OFFICERS CERTIFICATION: I hereby determine that the facts and representations under my cognizance which are included in the J&A are accurate and complete to the best of my knowledge and belief.



Samuel Bon
Contract Specialist

April 22, 2013

Date

Recommend: Approval / Disapproval



Don Neal
Manager, Supply Team

4/16/13
Date